

**TOWN OF DAVIE
REGULAR MEETING
DECEMBER 21, 2005**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:33 p.m. and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present at the meeting were Mayor Truex, Vice-Mayor Hubert, and Councilmembers Paul and Starkey. Also present were Acting Town Administrator Cohen, Town Attorney Kiar, and Town Clerk Muniz recording the meeting. Councilmember Crowley was absent.

Councilmember Paul made a motion, seconded by Councilmember Starkey, to excuse Councilmember Crowley. In a voice vote, with Councilmember Crowley being absent, all voted in favor. (Motion carried 4-0)

3. PRESENTATIONS

3.1. Community Redevelopment Agency (CRA)

CRA Administrator Will Allen provided an update on the CRA's recent activities. He indicated that the Davie Road/Orange Drive Charette had been rescheduled for January 7, 2006 in the Town Hall Community Room.

Mr. Allen advised that on December 12th, the CRA had recommended approval of a Children Services Council (CSC) request for exemption of a tax increment of \$85,000. He spoke of the efforts of the CSC along with Memorial Healthcare over the past year. Mr. Allen discussed events funded by the CRA for the next year, including the Orange Blossom Festival and the Fresh Green Market. He advised that the CRA was investigating a property for purchase which would come before Council as an application on January 4, 2006.

Mayor Truex announced that items 6.1, 6.2 and 6.3 needed to be tabled to January 4, 2006.

Councilmember Paul made a motion, seconded by Vice-Mayor Hubert, to table. In a voice vote, with Councilmember Crowley being absent, all voted in favor. (Motion carried 4-0)

Mayor Truex announced that staff requested that item 4.2 needed to be tabled to January 18, 2006.

Councilmember Paul made a motion, seconded by Vice-Mayor Hubert, to table. In a voice vote, with Councilmember Crowley being absent, all voted in favor. (Motion carried 4-0)

Mayor Truex announced that staff had withdrawn items 4.14, 4.15, 4.16, 4.17 and 4.18.

Mayor Truex announced that item 4.25 needed to be added.

Councilmember Paul made a motion, seconded by Vice-Mayor Hubert, to add. In a voice vote, with Councilmember Crowley being absent, all voted in favor. (Motion carried 4-0)

4. APPROVAL OF CONSENT AGENDA

Proclamation

4.1. Scott Prouty, Lee Swasey and Adriel Forbes - Lifesaving Heroes

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Resolutions

- 4.2. **SETTLEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE TOWN COUNCIL TO EXECUTE A SETTLEMENT AGREEMENT BETWEEN CARMAX AUTO SUPERSTORES, INC. AND THE TOWN OF DAVIE IN CASE NUMBER 04-011773(08), AND PROVIDING FOR AN EFFECTIVE DATE. (tabled from December 7, 2005)
- 4.3. **BOARD EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, EXTENDING THE AIRPORT ADVISORY BOARD FOR ONE YEAR. (tabled from December 7, 2005)
- 4.4. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2005-299 AUTHORIZING THE MAYOR TO EXECUTE A SOFTWARE LICENSING AGREEMENT WITH ZOLL DATA SYSTEMS. (\$11,000)
- 4.5. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2005-300 AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT BETWEEN THE DAVIE RODEO ASSOCIATION, INC. AND THE TOWN OF DAVIE, FLORIDA FOR THE RENTAL OF THE BERGERON RODEO GROUNDS, OF DAVIE FLORIDA. (Jack Pot Rodeo)
- 4.6. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2005-301 ENTERING INTO AN AGREEMENT BETWEEN THE OBEDIENCE TRAINING CLUB OF PALM BEACH COUNTY FOR THE RENTAL OF THE BERGERON RODEO GROUNDS FOR DOG OBEDIENCE COMPETITION.
- 4.7. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2005-302 AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT BETWEEN THE DAVIE RODEO ASSOCIATION, INC. AND THE TOWN OF DAVIE, FLORIDA FOR THE RENTAL OF THE BERGERON RODEO GROUNDS, OF DAVIE FLORIDA. (High School State Championship Youth Rodeo Competition)
- 4.8. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2005-303 APPROVING AN AGREEMENT BETWEEN THE BROWARD COUNTY SUPERVISOR OF ELECTIONS AND THE TOWN OF DAVIE FOR THE PURPOSE OF ENGAGING POLL WORKERS FOR MUNICIPAL ELECTIONS.
- 4.9. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2005-304 RENEWING AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND DAVID K. SIGERSON, JR. OF ERICKS CONSULTANTS, INC. TO REPRESENT THE TOWN OF DAVIE FOR LEGISLATIVE AND GOVERNMENTAL CONSULTING SERVICES FOR FISCAL YEAR 2005/2006. (\$38,000)
- 4.10. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE
R-2005-305 BID FOR THE CONSTRUCTION OF AN IRRIGATION SYSTEM FOR WELL SYSTEMS 3 & 4 AT LINEAR PARK. (Windmill Sprinklers, Inc. - \$142,500)

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- 4.11. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE
R-2005-306 BIDS FOR FIRST AID SUPPLIES AND EQUIPMENT. (lowest bidder for each group - \$120,000)
- 4.12. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, WAIVING
R-2005-307 FORMAL BIDDING AND ACCEPTING THE BID TO REPAIR THE ROOF AT IVANHOE FIRE STATION DAMAGED DURING HURRICANE WILMA. (Olen Waldrep & Sons Roofing, Inc. - \$102,320)
- 4.13. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING
R-2005-308 THE MAYOR TO EXECUTE CHANGE ORDER NUMBERS 1 AND 2 TO THE CONTRACT BETWEEN THE TOWN AND BUDGET CONSTRUCTION COMPANY, INC. FOR THE DAVIE/COOPER CITY CHAMBER OF COMMERCE PARKING MODIFICATIONS. (increase of \$31,815.98)
- 4.14. **QUIT CLAIM DEED** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ACCEPT A QUIT CLAIM DEED FOR 10' OF SW 148 AVENUE RIGHT-OF-WAY FROM CLARK AND BARBARA HUTCHESON, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.
- 4.15. **QUIT CLAIM DEED** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ACCEPT A QUIT CLAIM DEED FOR 10' OF SW 148 AVENUE RIGHT-OF-WAY FROM CHARLES AND SUSAN ANDERSON, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.
- 4.16. **QUIT CLAIM DEED** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ACCEPT A QUIT CLAIM DEED FOR 10' OF SW 148 AVENUE RIGHT-OF-WAY FROM MARTHA TABARES, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.
- 4.17. **QUIT CLAIM DEED** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ACCEPT A QUIT CLAIM DEED FOR 10' OF SW 148 AVENUE RIGHT-OF-WAY FROM NANCY BENITEZ, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.
- 4.18. **QUIT CLAIM DEED** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ACCEPT A QUIT CLAIM DEED FOR 10' OF SW 148 AVENUE RIGHT-OF-WAY FROM THOMAS AND SHANNON CALHOON, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

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- 4.19. **QUIT CLAIM DEED** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ACCEPT A QUIT CLAIM DEED FOR 50' OF RIGHT-OF-WAY FROM AHMAD TAVAKOLI; AND PROVIDING FOR AN EFFECTIVE DATE.
R-2005-309
- 4.20. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, DELETING A 20-FOOT DRAINAGE EASEMENT, EXTENDING A 20' CANAL MAINTENANCE EASEMENT, AND ADJUSTING A 10' UTILITY EASEMENT ALONG THE EASTERN BOUNDARY LINE OF THE "ZARBAFI ESTATES" PLAT; AND PROVIDING AN EFFECTIVE DATE. (DG 11-1-05, Pine Island Estates, 5150 South Pine Island Road)
- 4.21. **CO-LOCATION APPLICATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A WIRELESS COMMUNICATION FACILITY CO-LOCATION APPLICATION BY RG PARTNERS INC. FOR METRO PCS AT THE FP&L GULFSTREAM SERVICE CENTER ON DAVIE ROAD EXTENSION; AND PROVIDING FOR AN EFFECTIVE DATE.
R-2005-310
- 4.22. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE RATIFYING AN AGREEMENT BETWEEN THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL AND THE DAVIE COMMUNITY REDEVELOPMENT AGENCY FOR STATE ROAD 7/U.S. 441 DESIGN CHARRETTE IMPLEMENTATION ASSISTANCE; AUTHORIZING THE MAYOR TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING HIS SIGNATURE TO SAID RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.
R-2005-311
- 4.23. **MONEY PURCHASE PLAN AMENDMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AMENDING THE TOWN OF DAVIE MONEY PURCHASE PLAN IN ACCORDANCE WITH FEDERAL REGULATIONS AND PROVIDING AN EFFECTIVE DATE.
R-2005-312

Quasi-Judicial Consent Agenda

- 4.24. SP 1-4-04, Pine Island Estates, 5150 South Pine Island Road (R-3) Site Plan Committee recommended approval subject to the planning report except for the requirement that a tot lot be provided; that on model 'C', on the two-story side elevation, add four windows in the family room and add windows on each side of the garage; on model 'D', add windows to the side elevation by adding windows to the bedrooms and adding two windows to the garage; on model 'A', add one window on the side of the garage; on model 'B', add one window to the garage; on the entry sign, remove copper pots, add hip-roof caps, add stone veneer in lieu of other veneers on the base and columns, change the letter font style so that it is not "art deco", add brackets under the hip-roof caps similar to the residential models

Mayor Truex pulled items 4.1, 4.10 and 4.25. Councilmember Starkey pulled item 4.22. Councilmember Paul pulled items 4.3, 4.11, 4.20, and 4.24.

Councilmember Starkey made a motion, seconded by Councilmember Paul, to approve the Consent Agenda minus items 4.1, 4.3, 4.10, 4.11, 4.20, 4.22, 4.24, and 4.25 In a voice vote, with Councilmember Crowley being absent, all voted in favor. (Motion carried 4-0)

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5. DISCUSSION OF CONSENT AGENDA ITEMS

4.1 Later in the meeting, Mayor Truex thanked Scott Prouty for his lifesaving efforts and read aloud the proclamation honoring Scott Prouty, Lee Swasey and Adriel Forbes as Lifesaving Heroes.

Vice-Mayor Hubert made a motion, seconded by Councilmember Starkey, to approve. In a voice vote, with Councilmember Crowley being absent, all voted in favor. (Motion carried 4-0)

4.3 Councilmember Paul asked Councilmember Starkey's views on having the Airport Advisory Board broaden its scope to cover transportation. Town Clerk Muniz advised that staff had contacted the nine members of the Board and indicated that only one member was against covering transportation issues, while another member had not responded.

Councilmember Starkey was not in favor of extending the Board's scope. She stated that the airport issue needed a stand-alone board which showed how important this issue was to the Town. Mayor Truex indicated it would send a bad message if the Town sunsetted the board. Vice-Mayor Hubert felt the Boardmembers should handle more duties if the majority did not object.

Councilmember Paul stated that transportation issues would impact Davie just as much as the airport situation. She felt the Board could use its time more wisely than focusing only on one topic. Mayor Truex was in favor of keeping the Board intact. Councilmember Paul pointed out that airport issues were also discussed at the MPO and if the Board discussed issues that came before the MPO, it should inform her accordingly. She suggested changing the Board's name to the Airport/Transportation Advisory Board, indicating that the airport was the major consideration. Councilmember Starkey was in favor of supporting the resolution as it stood.

Councilmember Starkey made a motion, seconded by Mayor Truex, to approve. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Hubert - no; Councilmember Crowley - absent; Councilmember Starkey - yes; Councilmember Paul - no. (Motion tied 2-2; item was automatically tabled to January 4, 2006)

4.10 Mayor Truex questioned language indicating the bid amount was incorrect. Mr. Underwood advised that a mathematical error had been made at the time the bid was opened. Mayor Truex asked for more backup in the future. Councilmember Starkey also requested more backup information for bid selection items in the future.

Vice-Mayor Hubert made a motion, seconded by Councilmember Starkey, to approve. In a voice vote, with Councilmember Crowley being absent, all voted in favor. (Motion carried 4-0)

4.11 Councilmember Paul referred to Section 3 of the resolution and requested changing language to prevent Administration from extending contracts without Council's approval."

Councilmember Paul made a motion, seconded by Vice-Mayor Hubert, to approve subject to changing language to state, "contract extensions must be approved by the Town Council." In a voice vote, with Councilmember Crowley being absent, all voted in favor. (Motion carried 4-0)

4.22 Regarding the State Road 7/441 Charette, Mr. Allen advised that the CRA had received a proposal from the South Florida Regional Planning Council which he felt would be a good partner. He indicated that the CRA had agreed to fund the planning services but added that the application deadline was March 2006. Development Services Director Mark Kutney spoke in favor of the Planning Council as a partner with the CRA.

Councilmember Paul made a motion, seconded by Vice-Mayor Hubert, to approve. In a voice vote, with Councilmember Crowley being absent, all voted in favor. (Motion carried 4-0)

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4.20 and 4.24 Mr. Kiar read the rules of evidence and swore in the witnesses.

Planning and Zoning Manager Bruce Dell advised that staff inadvertently neglected to include the plans in the packet sent to the Board. He indicated that Council could table this item if it wished. Councilmember Paul asked for time to meet with the applicant and to review the plans.

Gus Khavanian, representing the applicant, did not object to Council tabling this item to January 4, 2006.

Councilmember Paul made a motion, seconded by Mayor Truex, to table to January 4, 2006. In a voice vote, with Councilmember Crowley being absent, all voted in favor. (Motion carried 4-0)

4.25 Vice-Mayor Hubert made a motion, seconded by Councilmember Starkey, to approve. In a voice vote, with Councilmember Crowley being absent, all voted in favor. (Motion carried 4-0)

Mayor Truex commended Utilities Director Daniel Colabella for his long years of service to the Town and thanked him for his dedication. Mayor Truex read the proclamation declaring January 4, 2006 as Dan Colabella Day.

6. PUBLIC HEARING

Ordinances - Second and Final Reading

6.1. STAFF REQUESTING A TABLING TO JANUARY 4, 2006 DUE TO AN ERROR IN ADVERTISING

CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING CODE AMENDMENT APPLICATION ZB(TXT)10-1-05, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, BY AMENDING SECTION 12-286 ENTITLED RURAL LIFESTYLE REGULATION, SUBSECTION (B); PROVIDING SUPPLEMENTAL REGULATIONS FOR FENCES; AMENDING SECTION 12-309(A) ENTITLED REVIEW FOR VARIANCES; PROVIDING FOR FENCE DESIGN VARIANCES IN THE RURAL LIFESTYLE; AMENDING SECTION 12-34 ENTITLED STANDARDS ENUMERATED SUBSECTION (B) ANIMALS ADDING SUBSECTION (12); PROVIDING FOR INTENT SECTION AND REGULATIONS FOR THE MAINTENANCE OF HOBBY FARMS; AND AMENDING SECTION 12-503 ENTITLED DEFINITIONS; PROVIDING FOR DEFINITIONS FOR HOBBY FARMS; AND PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. (tabled from November 7, 2005)

This item was tabled earlier in the meeting.

6.2. STAFF REQUESTING A TABLING TO JANUARY 4, 2006 DUE TO AN ERROR IN ADVERTISING

PENSION PLAN AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE POLICE PENSION PLAN AS PROVIDED BY THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN AND THE FRATERNAL ORDER OF POLICE, LODGE 100; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

This item was tabled earlier in the meeting.

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6.3. STAFF REQUESTING A TABLING TO JANUARY 4, 2006 DUE TO AN ERROR IN ADVERTISING

PENSION PLAN AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE POLICE PENSION PLAN TO COMPLY WITH CHAPTER 185, FLORIDA STATUTES; AMENDING THE DEFINITION OF COMPENSATION IN SECTION 1.7 TO INCLUDE UP TO 120 HOURS OF OVERTIME; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

This item was tabled earlier in the meeting.

Ordinances - First Reading (Second and Final Reading to be held on January 4, 2006)

6.4. MORATORIUM EXTENSION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA EXTENDING THE PRESENT MORATORIUM ON THE FILING OF APPLICATIONS FOR ADULT ENTERTAINMENT FACILITIES OR APPLICATIONS RELATED TO THE USE OF ANY BUILDING FOR THE OPERATION OF AN ADULT ENTERTAINMENT FACILITY FOR A PERIOD OF ONE HUNDRED AND EIGHTY (180) DAYS COMMENCING UPON THE ADOPTION OF THIS ORDINANCE; PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Town Clerk Muniz read the ordinance by title. Mayor Truex announced there would be a public hearing on this item at the January 4, 2006 meeting.

Mayor Truex opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

Councilmember Paul made a motion, seconded by Vice-Mayor Hubert, to approve. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Hubert - yes; Councilmember Paul - yes; Councilmember Crowley - absent; Councilmember Starkey - yes. (Motion carried 4-0)

6.5. FEE SCHEDULE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CURRENT FEE SCHEDULES FOR THE ENGINEERING DIVISION OF THE DEVELOPMENT SERVICES DEPARTMENT OF THE TOWN OF DAVIE BY ADDING ENGINEERING PERMIT FEES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Muniz read the ordinance by title. Mayor Truex announced there would be a public hearing on this item at the January 4, 2006 meeting.

Mayor Truex opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

Councilmember Starkey questioned the site development fees. Town Engineer Larry Peters advised that this was a typographical error and confirmed that the figure should read \$100. Councilmember Paul gave a reminder that no blasting was allowed unless approved by Council.

Councilmember Starkey made a motion, seconded by Councilmember Paul, to approve, subject to correcting the site development fee per acre to state \$100. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Hubert - yes; Councilmember Paul - yes; Councilmember Crowley - absent; Councilmember Starkey - yes. (Motion carried 4-0)

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7. APPOINTMENTS

- 7.1. Airport Advisory Board (two exclusive appointments per Councilmember; terms expire December 2006)

No appointments were made.

- 7.2. Community Redevelopment Agency (one exclusive appointment - Councilmember Paul; one non-exclusive appointment; terms expire April 2006) (members shall either reside or engage in business within the jurisdiction of the Town)

Councilmember Paul appointed Julie Aitken.

- 7.3. Fire Employees' Pension Board (two non-exclusive appointments of legal residents; appointing authority should select, from the best qualified persons, minority representation to accurately reflect that population of the area represented by the Board) (term January 2006 - December 2007)

Councilmember Paul made a motion, seconded by Councilmember Starkey, to Irving Heller and John Croes. In a voice vote, with Councilmember Crowley being absent, all voted in favor. (Motion carried 4-0)

- 7.4. Open Space Advisory Committee (one exclusive appointment - Vice-Mayor Hubert; term expires April 2006)

No appointment was made.

- 7.5. Parks and Recreation Advisory Board (one exclusive appointment - Councilmember Crowley; term expires April 2006) (members should have a concern with or an interest in the park facilities and recreational needs of the citizens of the Town)

No appointment was made.

- 7.6. Police Employees' Pension Board (two non-exclusive appointments of legal residents; appointing authority should select, from the best qualified persons, minority representation to accurately reflect that population of the area represented by the Board) (term January 2006 - December 2007)

Councilmember Starkey made a motion, seconded by Councilmember Paul, to appoint Jack Mackie and Larry Davis. In a voice vote, with Councilmember Crowley being absent, all voted in favor. (Motion carried 4-0)

- 7.7. School Advisory Board (two exclusive appointments - Vice-Mayor Hubert; terms expire April 2006) (insofar as possible, members are to have experience in educational matters)

No appointments were made.

- 7.8. Senior Citizen Advisory Committee (one exclusive appointment - Vice-Mayor Hubert; and Councilmember Paul; terms expire April 2006) (members shall be a minimum 60 years of age)

Vice-Mayor Hubert appointed Selma Aronson.

- 7.9. Water and Environmental Advisory Board (one exclusive appointment - Mayor Truex and Vice-Mayor Hubert; terms expire April 2006) (insofar as possible, one member shall be a licensed engineer)

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Councilmember Paul advised that the Water and Environmental Advisory Board had not had a quorum or held a meeting since August and voiced her concern about the need for a meeting to appoint two members from this Board to the Open Space Bond Advisory Board. She questioned whether Council should look into sunsetting this Board or appointing all new members.

Mr. Colabella suggested that the Board meet every six months and cover several items as it had not been able to accomplish much on its current schedule.

Mr. Cohen suggested that if four people were willing to attend, Council could revisit one appointee from each Councilmember and keep it as a 5-member Board. Mayor Truex agreed with this. Mr. Cohen indicated staff could bring an ordinance forward at the next meeting.

8. OLD BUSINESS

There was no old business discussed.

9. NEW BUSINESS

9.1. Bicycle Donation to Prestige Club of South Broward

Mr. Cohen requested that Council approve the donation of bicycles from the police department to the Prestige Club.

Vice-Mayor Hubert made a motion, seconded by Mayor Truex, to approve. In a voice vote, with Councilmember Crowley being absent, all voted in favor. (Motion carried 4-0)

Vice-Mayor Hubert requested that Council discuss the noise problem at the Seminole Hard Rock property. Police Major Gary Killam explained the procedure set up with the Seminole Police Department to address noise violation issues.

Karen Stenzel-Nowicki, 5480 SW 55 Avenue, advised that noise was still a huge problem despite good intentions between the Seminole and Davie Police Departments. She felt it was imperative for Council to move forward with stopping this problem urgently.

Mayor Truex asked Ms. Stenzel-Nowicki what she wanted Council to do. Ms. Stenzel-Nowicki wanted to see a noise resolution and policy drafted as an interlocal agreement directing the Seminole Indian Tribe to cease the noise pollution. Mayor Truex advised that any interlocal agreement had to be signed by the Seminole nation and pointed out that this problem was not due to any activity or inactivity of Council. Ms. Stenzel-Nowicki wanted an interlocal agreement to be drafted similar to the one which applied to traffic accidents.

Councilmember Starkey felt a buffer such as a sound wall was needed as noise might be emanating from the site for years. Vice-Mayor Hubert discussed possible noise abatement measures that the Hard Rock property owners could consider paying for. She spoke of the Stirling Mobile Home Community which also suffered from the noise problem. Mayor Truex requested that Mr. Cohen and Vice-Mayor Hubert meet with Ms. Stenzel-Nowicki to discuss these suggestions further.

10. MAYOR/COUNCILMEMBER'S COMMENTS

VICE-MAYOR HUBERT

HOLIDAYS. Vice-Mayor Hubert spoke of the Town's holiday party and food distribution events and thanked staff and other contributors for their help. She extended holiday greetings.

COUNCILMEMBER STARKEY.

HOLIDAY GREETING. Councilmember Starkey extended holiday greetings.

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NATIONAL LEAGUE OF CITIES. Councilmember Starkey spoke of her experiences at the National League of Cities in Charlotte, North Carolina and indicated she would distribute a summary of the meeting to Council.

KIWANIS HOLIDAY PARTY. Councilmember Starkey spoke of the Kiwanis holiday party and efforts by Wings of Gold who donated.

DAVIE WEST. Councilmember Starkey congratulated Davie West on its first 5K run in its community.

HAPPY BIRTHDAY. Councilmember Starkey wished her husband happy birthday.

COUNCILMEMBER PAUL.

HOLIDAY GREETING/LIGHTS. Councilmember Paul extended holiday greetings and commended staff on the light display at Town Hall.

HAPPY BIRTHDAY. Councilmember Paul wished her nephews a happy birthday. Councilmember Starkey wished attorney Andre Parke happy birthday.

MAYOR TRUEX.

LIGHTING. Mayor Truex asked what was being done about lighting along the South New River canal. Public Works/Capital Projects Director Bruce Bernard advised that the Town had never signed the agreement to take over the lights. He indicated that the State would take responsibility for resetting the lights.

HOLIDAYS. Mayor Truex thanked several church groups for their holiday programs. He extended holiday greetings.

11. TOWN ADMINISTRATOR'S COMMENTS

HOLIDAY GREETING. Mr. Cohen extended holiday greetings.

HAPPY BIRTHDAY. Mr. Cohen wished his granddaughter a happy birthday.

12. TOWN ATTORNEY'S COMMENTS

HOLIDAY GREETING. Mr. Kiar extended holiday greetings.

Councilmember Starkey spoke of the need to reschedule the Sunrise water acquisition workshop.

13. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 8:28 p.m.

Approved _____

Mayor/Councilmember

Town Clerk